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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**

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6 IN RE: LITHIUM ION BATTERIES
7 ANTITRUST LITIGATION

Case No. 4:13-md-02420-YGR (DMR)

**ORDER DENYING WITHOUT PREJUDICE
MOTION OF OBJECTOR GORDON MORGAN
FOR ATTORNEYS' FEES**

8 This Order relates to the
9 Indirect Purchaser Plaintiffs

(Dkt. No. 2019)

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11 The Motion of objector Gordon Morgan for Attorney's Fees and service award (Dkt. No.
12 2019) is **DENIED WITHOUT PREJUDICE**. In its October 27, 2017 Order, Indirect Purchaser
13 Plaintiffs' ("IPPs") motion for attorneys' fees was denied without prejudice to a renewed motion,
14 because the request was premature. In that Order, the Court awarded IPPs a partial amount of
15 attorneys' fees in recognition of their entitlement to an award of attorneys' fees and the protracted
16 nature of the litigation, while contemplating that a complete award would not be ordered until it
17 has a motion for attorneys' encompassing all settlements with IPPs in the action, including the
18 settlement with the Sony defendants that was previously approved. While the Court noted that the
19 characteristics of the settlements to date approach the characteristics of a so-called "megafund"
20 case, the Court leaves for future determination whether the attorneys' fees requested would require
21 and adjustment of the total fees finally requested by IPPs. Thus, the Court cannot find at this
22 juncture that objector has conferred a benefit on the class that would warrant an award of
23 attorneys' fees, a service award, or a multiplier on objectors' fees as sought in the instant motion.

24 **IT IS SO ORDERED.**

25 Dated: December 6, 2017

26 
27 YVONNE GONZALEZ ROGERS
28 UNITED STATES DISTRICT JUDGE